

### Remarks

This paper is being provided in Response to the August 19, 2004 Election/Restriction Requirement for the above-referenced application. As noted above, Applicant selects **Group I** for examination. Further, Applicants submit herewith a preliminary amendment in which claims 108-160 have been withdrawn without prejudice or disclaimer of the subject matter thereof, and claims 1, 2, 47 and 53 have been amended. New claims 161 and 162 have been added. Applicants respectfully submit that the amendments and addition to the claims are fully supported by the originally-filed application.

In response to the requirement for election of species, Applicant elects the species in which:

- a) The transport method is pressure method from fluid flow;
- b) The detector is capacitors;
- c) The capture ligand is nucleic acid;
- d) The measurement method is conductivity of the microfluidic channel;

and

- e) The depth range is between about 100 nm and about 3000 nm.

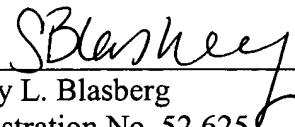
Importantly, Applicant respectfully submits that original claim 43 recites a range of 100 nm to **3000** nm, rather than from 100 nm to 300 nm, as indicated in the election requirement.

Claims 1-7, 9-17, 19-21, 28, 30-32, 34-36, 43-44, 46, and 161-162 read on the elected species. Claims 1-6, 9-14, 30, 44, 46, and 161-162 are generic.

Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4054.

Please charge any necessary fees or credit any overpayments to our Deposit Account No.  
03-1721.

Respectfully submitted,

  
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